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answering system, a public address system, a visual display device, an electronically-controlled sign, an audiovisual apparatus, a videoconferencing device, and a multimedia announcement device.

#### REMARKS

By the present Amendment, claims 1, 3, 4, 7, 9, 10, 12, 13, 30, 32, 34 and 35 have been amended. Claims 1 and 5 have been rewritten and combined as new claim 36. Claims 1 and 8 have been rewritten and combined as new claim 37. Claims 32 and 33 have been rewritten and combined as new claim 38. Accordingly, claims 5, 8 and 33 have been canceled. Claim 39 has been added to provide a more complete scope of protection for the invention.

The allowance of claims 18-29 is noted with appreciation. New claim 39 depends from allowable claim 18 and is therefore also deemed to be allowable. Formal drawings will be submitted after a Notice of Allowance is received.

In the Office Action, the Examiner objects to claims 7 and 30. Claims 3 and 30-31 are rejected under 35 U.S.C. § 112, second paragraph. The amendments to claims 7, 13 and 30-31 herein are believed to be self-explanatory and to overcome the Examiner's basis for objecting to them or rejecting them under 35 U.S.C. § 112, second paragraph.

Claims 1-4 and 6-7 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,664,948, to Dimitriadis et al. The Dimitriadis et al patent discloses a system wherein advertising information is broadcast to and stored at remote devices such as a receiver 40 in a motor vehicle (Fig. 1). The advertisement information is presented to the vehicle passengers under selected conditions. These conditions include current location of the vehicle, time of day, level of power at the receiver and receipt of a paging signal command. A microprocessor 60 (Fig. 2) at the receiver 40 loads advertisement records 400 into a memory device 90 with index values and retrieves records 400 from the memory device 90 by providing their corresponding index values and in accordance with a condition list 400b (Fig. 4). The microprocessor 60 determines when to present each record 400 by scanning the condition list 400b and comparing such conditions with current conditions.

The programmable message delivery system recited in claim 1, as amended herein, transmits control signals to message playback devices which store a plurality of messages. The control signals determine which messages stored at respective message playback devices are to be played. A user can therefore prepare a message playlist and the playlist can then be transmitted (e.g., via paging) to selected remote message playback devices. As recited in claim 1, the messages to be played at a message playback device are played until that message playback device is provided with another playlist.

The Dimitriadis et al patent does not disclose or suggest transmitting message list data to the receiver 40. In the Dimitriadis et al patent, a condition list 400b for a specific record 400 at the receiver 40 is updated via the SET CONDITIONS COMMAND (see column 6, lines 58-67). With regard to the present invention, the messages stored in a message playback device do not require separate condition fields. In contrast with the Dimitriadis et al patent, users of the system of the present invention can select which tracks on an optical disc are to be played at a message playback device and in what order. The resulting playlist of the user is then provided to the message playback device. The system of the claimed invention plays the messages in the playlist unconditionally until a new playlist is provided. The system of the Dimitriadis patent, on the other hand, may present an advertisement to a vehicle passenger only when the vehicle is in a certain geographic area. Thus, the microprocessor must continuously scan the condition list stored for each record to determine if a condition specified therein is met, such as when vehicle location has changed. Accordingly, the invention recited in claim 1 is not anticipated nor suggested by the Dimitriadis et al patent. Withdrawal of the 35 U.S.C. §102(e) rejection of claim 1 and claims 2-4 and 6-7, which depend from claim 1, is respectfully requested.

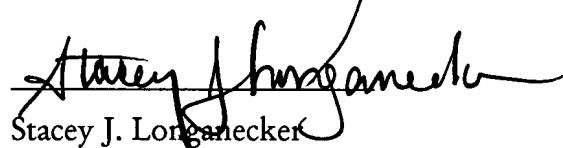
Claim 32 has been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,418,527, to Yashiro. The Yashiro patent discloses a remote control system for an audio/video system using infrared signaling. A user controls audio and video devices via a handheld unit which emits control signals. For example, the handheld unit has PLAY, STOP, PAUSE, NEXT TRACK and PREVIOUS TRACK buttons 24 (Fig. 2) for operating a compact disc (CD) player. The control signals are converted to appropriate signals for

operating the corresponding audio or video device in accordance with user selection via the handheld unit.

The Yashiro patent does not disclose programming the CD player to play a selected sequence of tracks. In addition, the Yashiro patent does not disclose or suggest sending a list of tracks via a broadcast transmission system such as a paging network. The infrared signaling of the handheld unit disclosed in the Yashiro patent requires line-of-sight transmission and does not suggest using a broadcast receiver. The invention recited in claim 32 has been amended herein to more clearly recite the aspects of programming an optical disc player by broadcasting a command signal identifying selected tracks on an optical disc for play until a different command signal is broadcast. Accordingly, withdrawal of the 35 U.S.C. § 102(e) rejection of claim 32 is respectfully requested.

No admission is made that any item not published more than one year prior to the filing date of the present application constitutes prior art under 35 U.S.C. §§ 102 or 103. In view of the foregoing amendments and remarks, the application, including claims 1-4, 6-7, 9-32 and 34-39, is believed to be in condition for allowance. Should the Examiner have any questions, however, the Examiner is invited to contact the undersigned.

Respectfully Submitted,

  
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